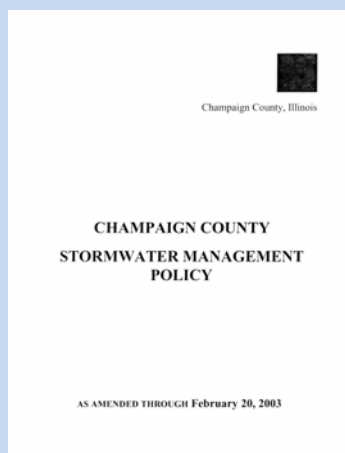


# Draft Stormwater Management and Erosion Control Ordinance

A presentation to  
Champaign County  
Environment and Land Use Committee

## Background

- Champaign County adopted the Champaign County Interim Stormwater Management Policy in 1991 (Resolution 3160)
- Policy amended in 2003 (Ordinance 679)
- “The purpose of this Stormwater management policy is to guide developers attempts to control the transportation or movement of stormwater...”
- The Champaign County Stormwater Management Policy regulates runoff from impervious areas but not erosion and sedimentation.



## Background

- Mandated by Congress under the Clean Water Act, the National Pollution Discharge Elimination System is a comprehensive program for addressing non-agricultural sources of storm water discharge which adversely affect the quality of our nation's waters.
- The Clean Water Act prohibits the discharge of pollutants through a point source into a Water of the United States unless the discharger has an NPDES permit and is in compliance with the conditions of the permit.
- Champaign County, identified as a small MS4 in 2003, was issued an NPDES permit along with Champaign, Urbana, Savoy, University of Illinois, and Fountainhead Drainage District.

## Background

The NPDES permit requires six minimum control measures

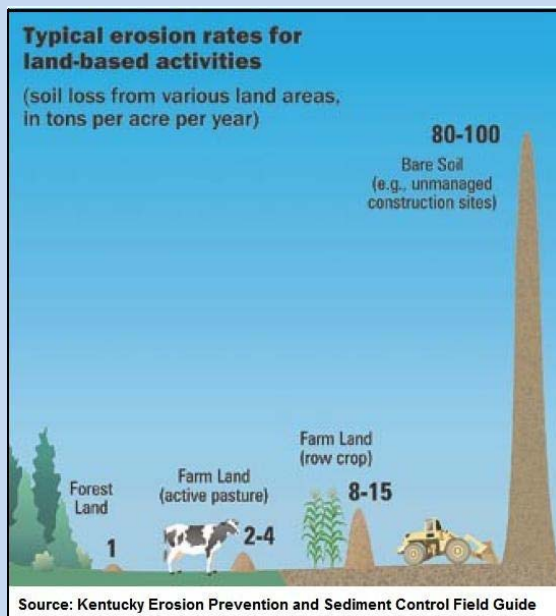
- **Public Education and Outreach.** Selected BMPs should educate the public on the various ways to reduce storm water pollution.
- **Public Participation and Involvement.** Selected BMPs should involve the public in developing, implementing, and reviewing MS4 best management practices.
- **Illicit Discharge Detection and Elimination.** Selected BMPs should identify improper discharges and spills to drainage systems and include enforcement mechanisms.
- **Construction Site Runoff Control.** Selected BMPs should enable construction site operators (builders and MS4s) to manage storm water runoff so as to reduce pollution.
- **Post-Construction Runoff Control.** Selected BMPs should enable property owners (developers and MS4s) to manage storm water runoff so as to reduce pollution from a site after construction activities have ended.
- **Pollution Prevention and Good Housekeeping.** Selected BMP's should enable the MS4 entity to minimize pollution from its own property and facilities by reducing pollution from streets, parking lots, open spaces, and storage and vehicle maintenance areas and is discharged into local waterways or that results poor maintenance of storm sewer systems.

## Background

### NPDES Requirements for Construction Activities

The MS4 operator is required to:

- Have an ordinance or other regulatory mechanism requiring the implementation of proper erosion and sediment controls, and controls for other wastes, on applicable construction sites;
- Have procedures for site plan review of construction plans that consider potential water quality impacts;
- Have procedures for site inspection and enforcement of control measures;
- Have sanctions to ensure compliance (established in the ordinance or other regulatory mechanism); and
- Establish procedures for the receipt and consideration of information submitted by the public.



## Problems Associated with Construction Site Runoff

- Stormwater flows from construction sites can pickup pollutants like sediment, debris, and chemicals and transport to a nearby storm sewer system or directly into a river or lake.
- NPDES requires clearing, grading, and excavating activities of certain amounts to undertake certain activities to protect against polluted discharges



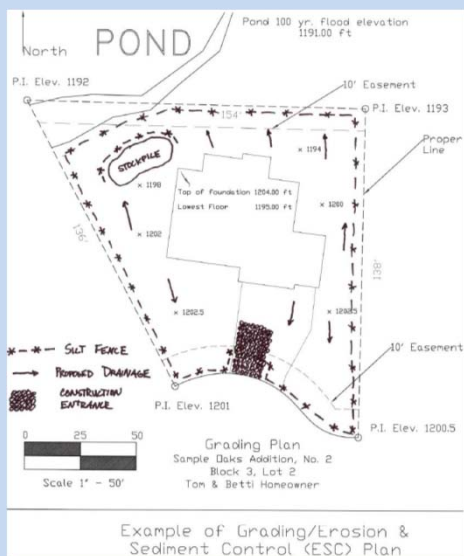
Image from USEPA NPDES Menu of BMPs

## Erosion and Sediment Control

1. Keep areas of disturbance small in size
2. Stabilize areas of disturbance before erosion occurs
3. Keep velocities of water runoff low
4. Protect areas of disturbance from stormwater runoff
5. Retain sediment onsite if storm water events occur
6. Perform routine maintenance on controls



## Erosion and Sediment Control



## Regulating Stormwater & Erosion and Sediment Control

| Concerns   | Method of Compliance  |
|--|---|
| Information about responsible parties, potential sources of pollution, contamination pathways, amount and type of disturbance, any special site conditions | Information provided in the Application for a LDEC Permit   |
| Effectiveness of practices that will be used to prevent pollutants from leaving the site   | Erosion and Sediment Control Plan (ESCP)<br>Stormwater Pollution Prevention Plan (SWPPP)<br>Site Review Procedures<br>Inspections |
| Quality of erosion and sediment control installation   | Site inspection   |
| Condition of site and controls after storm events  | Erosion Control Inspection Report<br>Incidence of Non Compliance  |
| Stabilization of the site when activity is stopped or for final conditions   | Notice of Termination   |
| Maintenance of infrastructure after construction is complete   | Regular inspections and maintenance required  |
| Information about site erosion and sediment control publicly available   | Plans posted at the site location   |

## Regulating Stormwater & Erosion and Sediment Control

- Land disturbance activities throughout Champaign County
- Section 6: Protecting Existing Drainage and Water Resource
- Section 7: Easements



## Regulating Stormwater & Erosion and Sediment Control

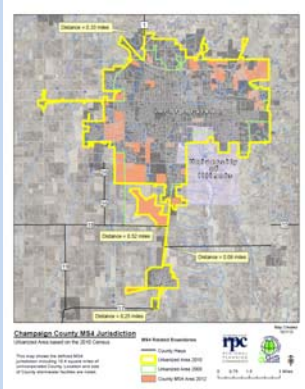
Land Disturbance where either:

- a. Subdivision approval is required, or
- b. A Zoning Use Permit is required

- Sections 6 & 7
- Section 8: Storm Water Drainage System
- Section 9: Storm Water Drainage Plan
- Section 10: Joint Construction
- Section 11: Land Disturbance Erosion Control
- Section 16: Rules of Construction
- Section 17: Appeal, Waiver or Variance

## Regulating Stormwater & Erosion and Sediment Control

Land Disturbance occurring within the MS4 jurisdictional area *(shown in orange)*



- Sections 6, 7, 8, 9, 10, 11, 16 & 17
- Section 12: LDEC Permits
- Section 13: Administration of LDEC Permits
- Section 14: Liability Related to LDEC Permits
- Section 15: Enforcement of LDEC Permits

## Regulating Stormwater & Erosion and Sediment Control

Exemptions to the LDEC Permit *(Section 4.3)*

- Agriculture
- Land disturbance of less than 1 acre (in some cases)
- Activities related to cemetery grave sites
- Emergencies
- Land disturbances of less than 10,000 square feet
- Land disturbances on lots and subdivisions subject to municipal annexation agreements
- Land Disturbance pursuant to a statewide or regional permit

## Regulating Stormwater & Erosion and Sediment Control

LDEC Permit Minor (12.2) is required when:

- less than 1 acre of land disturbance will occur that is part of a common plan of development or sale of record
- Is located in a Residential, Business or Industrial zoning district
- Is in an existing subdivision of more than four lots including subsequent replats in the Ag 1, Ag 2 and CR zoning districts

LDEC Permit Major (12.3) is required when:

- 1 acre or more of land disturbance will occur
  - *An ILR10 permit from Illinois EPA is also required*

## Regulating Stormwater & Erosion and Sediment Control

Administration and enforcement of these regulations will be conducted by the Department of Planning and Zoning. These activities are detailed in Sections 13, 14, and 15.

Technical Appendices are provided to help applicants prepare the necessary applications and plans.



## Next Steps

1. Take comments from ELUC
2. Revise Draft Ordinance based on committee recommendations
3. Begin public hearing for Draft Ordinance as early as February 13, 2014
4. Adoption of Draft Ordinance expected no sooner than July 2014

